

EXECUTIVE OFFICES
P.O. Box 4854
140 Cortland Avenue
Syracuse, New York 13221
(315) 475-1626

COYNE TEXTILE SERVICES
COYNE INTERNATIONAL ENTERPRISES CORP.

January 15, 2001

CERTIFIED MAIL

Mr. David Simmons
Environmental Resources Specialist II
WV Division of Environmental Protection
1356 Hansford Street
Charleston, WV 25301-1401

Re: **Draft Consent Order**

Dear Mr. Simmons:

Pursuant to our January 12, 2001 phone conversation, enclosed is the original executed copy of the Draft Consent Order.

If you have any questions, please contact me at (315) 475-1626 ext. 260.

Very truly yours,

D. J. Smith
Director of Environmental Affairs

DJS/sle

ALBANY, NY
ATLANTA, GA
BALTIMORE, MD
BECKLEY, WV
BELLEVILLE, NJ
BETSY LAYNE, KY
BRISTOL, TN
BUFFALO, NY
BURLINGTON, VT
CHARLOTTE, NC
CHATTANOOGA, TN
CINNAMINSON, NJ
CLEVELAND, OH
ERIE, PA
EVANSVILLE, IN
FAIRMONT, WV
FT. LAUDERDALE, FL
GREENVILLE, SC
HAZLETON, PA
HUNTINGTON, WV
JACKSONVILLE, FL
JOLIET, IL
LAKELAND, FL
LEWISTON, ME
LONDON, KY
LONG ISLAND, NY
NASHVILLE, TN
NEW BEDFORD, MA
PHILADELPHIA, PA
PITTSBURGH, PA
RALEIGH, NC
RICHMOND, VA
SCHENECTADY, NY
SEAFORD, DE
SMITHBORO, NY
SYRACUSE, NY
TOLEDO, OH
WATERBURY, CT
WINCHESTER, VA
WOODBIDGE, NJ
WORCESTER, MA
YORK, PA



Office of Waste Management
1356 Hansford Street
Charleston, West Virginia 25301
Phone Number: (304) 558-2505
Fax Number: (304) 558-0256

West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael C. Castle
Director

January 18, 2001

Mr. D.J. Smith,
Director of Environmental Affairs
Coyne Textile Services
P.O. Box 4854
140 Cortland Avenue
Syracuse, NY 13221

Re: tetrachlorethylene monitoring/HW-99-011

Dear Mr. Smith:

Thank you for the submittal of the additional language describing how you will monitor well #2 twice yearly. This sampling plan is approved and installation of the well may proceed. Please contact me ten days before installation of the well, I may want to attend. Also, I agree that there is no need or justification for background well sampling at this time.

Sincerely,

David C. Simmons,
Environmental Resources
Specialist II

cc: H. Michael Dorsey, CAER Asst. Chief
Michael I. Stratton, Enf. Unit Leader
Chris Gatens, Inspector Supervisor
EPA Region III



Office of Waste Management
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Charleston, West Virginia 25301
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West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael C. Castle
Director

ORDER
ISSUED UNDER THE
HAZARDOUS WASTE MANAGEMENT ACT
CHAPTER 22, ARTICLE 18
OF THE WEST VIRGINIA CODE, AS AMENDED
Order Number HW-00-022

Mr. D.J. Smith,
Director of Environmental Affairs
Coyne Textile Services Corp.
140 Cortland Ave.
P.O. Box 4854
Syracuse, NY 13221

EPA ID#: WVD052574753

ATTENTION: MR. D.J. Smith

This Order is issued by the Director of the West Virginia Division of Environmental Protection, through his authorized representative, the Chief of the Office of Waste Management, under the authority of the West Virginia Code, as amended (hereinafter, the "Code"), Chapter 22, Article 18, Section 15 to Coyne Textile Services Corporation (hereinafter "Coyne"). The Director has adopted and incorporated by reference the applicable sections of 40 CFR parts 260 through 279 into the Hazardous Waste Management Rule (hereinafter, "33 CSR 20").

BASIS FOR ORDER

Coyne owns and operates a facility for the cleaning of industrial laundry at a site located at 1111 Vernon Street in Huntington, West Virginia. Coyne is classified as a large quantity generator of hazardous waste. On October 29, 1997, authorized representatives of the Chief conducted a Compliance Schedule Evaluation at Coyne. During the inspection it was discovered that Coyne had committed the following violations:

1. Coyne had one receipt for hazardous waste with no manifest attached, a violation of 40 CFR 262.20(a).
2. Coyne had failed to complete a hazardous waste determination for all "F" listed waste codes, a violation of 40 CFR 262.11.
3. Coyne had failed to send wash-water screening hazardous waste to a permitted TSDF, in violation of 40 CFR 262.12.
4. Coyne had failed to use a manifest with shipments of wash-water screenings, a violation of 40 CFR 262.20.
5. Coyne had failed to keep closed a satellite container containing hazardous waste, a violation of 40 CFR 265.173(a), as referenced by 40 CFR 262.34.
6. Coyne had failed to mark a satellite container with the words "hazardous waste," in violation of 40 CFR 262.34c(1)(ii).

These violations were cited due to Coyne's failure to adequately manage shop rags containing a listed hazardous waste. It is the position of the Chief that Coyne has, at the time of the writing of this Order, taken all necessary measures to correct all of the aforementioned violations, and all necessary measures to comply with all applicable and current hazardous waste regulations, to the extent possible for Coyne at this time. At the time of the writing of this Order, federal and state officials are developing a policy for the management of hazardous waste shop rags.

REQUIREMENTS OF ORDER

Now, therefore, in accordance with Chapter 22, Article 18, Section 15 of the Code, it is hereby agreed between the parties and **ORDERED** by the Chief as follows:

1. Upon the effective date of this Order, Coyne will comply with all current state and federal hazardous waste regulations regarding the management of listed hazardous waste containing shop rags.
2. Upon the effective date of this Order, Coyne agrees to revise its own Standard Operating Procedure, (hereinafter, "SOP") for the management of listed hazardous waste containing shop rags, upon notification from the Chief that the currently developing shop rag policy has become official.
3. Upon being notified by the Chief of the revised shop rag policy, Coyne will within sixty days of such notification, submit for review its revised SOP for the management of hazardous waste containing shop rags, reflecting the changes required by the revised shop rag policy.

GENERAL PROVISIONS

1. The Chief reserves all rights and defenses which he may have pursuant to any legal authority as well as a right to raise, as a basis for supporting such legal authority or defenses, facts other than those numerated in the Basis for Order.
2. Coyne hereby waives its rights to appeal this Order under the provisions of Chapter 22, Article 18, Section 20 of the Code. Under this Order, Coyne agrees to undertake all actions required by the terms and conditions of this Order and consents to and will not contest the Chief's jurisdiction regarding this Order. However, Coyne does not admit to any factual and legal determination made by the Chief in this Order and reserves all rights and defenses available regarding liability and responsibility in any proceedings regarding these facilities other than proceedings, either administrative or civil, to enforce this Order.
3. This Order becomes effective on the date indicated and shall terminate upon notification from the Chief that Coyne has fulfilled the requirements as set forth in the Requirements of Order.

January 23, 2001
Effective Date


Coyne Textile Services Corp.


B. F. Smith, P.E., Chief
Office of Waste Management



Office of Waste Management
1356 Hansford Street
Charleston, West Virginia 25301
Phone Number: (304) 558-2505
Fax Number: (304) 558-0256

West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael C. Castle
Director

January 8, 2001

Mr. D.J. Smith,
Director of Environmental Affairs
Coyne Textile Services Corp.
140 Cortland Ave.
P.O. Box 4854
Syracuse, NY 13221

Certified Mail
Return Receipt Requested

Dear Mr. Smith:

Enclosed is Draft Consent Order HW-00-022 proposed by the Chief of the Office of Waste Management.

Within five days of certified receipt of this Draft Consent Order, contact me at (304) 558-2505 to arrange a meeting to discuss the terms and signing of this Order.

Sincerely,

David C. Simmons,
Environmental Resources
Specialist II

Enclosed Order

cc: H. Michael Dorsey, CAER Asst. Chief
Michael I. Stratton, Enf. Unit Leader
Chris Gatens, Inspector Supervisor
Penny Harris, Inspector
✓ EPA Region III



Office of Waste Management
1356 Hansford Street
Charleston, West Virginia 25301
Phone Number: (304) 558-2505
Fax Number: (304) 558-0256

West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael C. Castle
Director

ORDER
ISSUED UNDER THE
HAZARDOUS WASTE MANAGEMENT ACT
CHAPTER 22, ARTICLE 18
OF THE WEST VIRGINIA CODE, AS AMENDED
Order Number HW-00-022

Mr. D.J. Smith,
Director of Environmental Affairs
Coyne Textile Services Corp.
140 Cortland Ave.
P.O. Box 4854
Syracuse, NY 13221

EPA ID#: WVD052574753

ATTENTION: MR. D.J. Smith

This Order is issued by the Director of the West Virginia Division of Environmental Protection, through his authorized representative, the Chief of the Office of Waste Management, under the authority of the West Virginia Code, as amended (hereinafter, the "Code"), Chapter 22, Article 18, Section 15 to Coyne Textile Services Corporation (hereinafter "Coyne"). The Director has adopted and incorporated by reference the applicable sections of 40 CFR parts 260 through 279 into the Hazardous Waste Management Rule (hereinafter, "33 CSR 20").

BASIS FOR ORDER

Coyne owns and operates a facility for the cleaning of industrial laundry at a site located at 1111 Vernon Street in Huntington, West Virginia. Coyne is classified as a large quantity generator of hazardous waste. On October 29, 1997, authorized representatives of the Chief conducted a Compliance Schedule Evaluation at Coyne. During the inspection it was discovered that Coyne had committed the following violations:

1. Coyne had one receipt for hazardous waste with no manifest attached, a violation of 40 CFR 262.20(a).
2. Coyne had failed to complete a hazardous waste determination for all "F" listed waste codes, a violation of 40 CFR 262.11.
3. Coyne had failed to send wash-water screening hazardous waste to a permitted TSDF, in violation of 40 CFR 262.12.
4. Coyne had failed to use a manifest with shipments of wash-water screenings, a violation of 40 CFR 262.20.
5. Coyne had failed to keep closed a satellite container containing hazardous waste, a violation of 40 CFR 265.173(a), as referenced by 40 CFR 262.34.
6. Coyne had failed to mark a satellite container with the words "hazardous waste," in violation of 40 CFR 262.34c(1)(ii).

These violations were cited due to Coyne's failure to adequately manage shop rags containing a listed hazardous waste. It is the position of the Chief that Coyne has, at the time of the writing of this Order, taken all necessary measures to correct all of the aforementioned violations, and all necessary measures to comply with all applicable and current hazardous waste regulations, to the extent possible for Coyne at this time. At the time of the writing of this Order, federal and state officials are developing a policy for the management of hazardous waste shop rags.

REQUIREMENTS OF ORDER

Now, therefore, in accordance with Chapter 22, Article 18, Section 15 of the Code, it is hereby agreed between the parties and **ORDERED** by the Chief as follows:

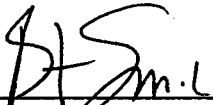
1. Upon the effective date of this Order, Coyne will comply with all current state and federal hazardous waste regulations regarding the management of listed hazardous waste containing shop rags.
2. Upon the effective date of this Order, Coyne agrees to revise its own Standard Operating Procedure, (hereinafter, "SOP") for the management of listed hazardous waste containing shop rags, upon notification from the Chief that the currently developing shop rag policy has become official.
3. Upon being notified by the Chief of the revised shop rag policy, Coyne will within sixty days of such notification, submit for review its revised SOP for the management of hazardous waste containing shop rags, reflecting the changes required by the revised shop rag policy.

GENERAL PROVISIONS

1. The Chief reserves all rights and defenses which he may have pursuant to any legal authority as well as a right to raise, as a basis for supporting such legal authority or defenses, facts other than those numerated in the Basis for Order.
2. Coyne hereby waives its rights to appeal this Order under the provisions of Chapter 22, Article 18, Section 20 of the Code. Under this Order, Coyne agrees to undertake all actions required by the terms and conditions of this Order and consents to and will not contest the Chief's jurisdiction regarding this Order. However, Coyne does not admit to any factual and legal determination made by the Chief in this Order and reserves all rights and defenses available regarding liability and responsibility in any proceedings regarding these facilities other than proceedings, either administrative or civil, to enforce this Order.
3. This Order becomes effective on the date indicated and shall terminate upon notification from the Chief that Coyne has fulfilled the requirements as set forth in the Requirements of Order.

January 23, 2001
Effective Date

Coyne Textile Services Corp.



B. F. Smith, P.E., Chief
Office of Waste Management



Office of Waste Management
1356 Hansford Street
Charleston, West Virginia 25301-1401
Telephone Number: (304) 558-2505
Fax Number: (304) 558-0256



West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael C. Castle
Director

May 12, 2000

Mr. Robert B. Schaffer,
Director of Environmental Affairs
P.O. Box 4854
140 Cortland Avenue
Syracuse, NY 13221

Coyne Textile Ser.

Certified Mail
Return Receipt Requested

Re: HW-011-99

Dear Mr. Schaffer:

Thank you for the submittal of the sampling results as required by HW-011-99. During our meeting on May 4, 2000, we suggested that more sampling results were needed to adequately delineate the extent of perchloroethylene contamination at the Coyne Textile facility in Huntington, WV. Specifically, the direction of the contaminant plume was not verifiable by the core sampling results, and more groundwater wells are needed to assess the condition of the groundwater at the site. We look forward to receiving additional sampling results that will remedy these problems.

Sincerely,

David C. Simmons,
Environmental Resources
Specialist II

cc: H. Michael Dorsey, CAER Asst. Chief
Michael I. Stratton, Enf. Unit Leader
Tom Fisher, Field Operations Program Mgr.
Chris Gatens, Inspector
✓ EPA Region III



Office of Waste Management
1356 Hansford Street
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Telephone Number: (304) 558-2505
Fax Number: (304) 558-0256



West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael C. Castle
Director

June 2, 2000

Mr. Robert B. Schaffer,
Director of Environmental Affairs
P.O. Box 4854
140 Cortland Avenue
Syracuse, NY 13221

Dear Mr. Schaffer:

Thank you for the submittal of the sampling plan for HW-011-99, dated May 16, 2000. The layout of the proposed sampling points 20 through 25 is accepted. The plan needs to reflect how you will determine the vertical extent of contamination for these sampling points. Please submit language describing your proposed sampling depths for points 20 through 25. You may take any confirmatory sample from points 20 through 25, which you feel proves a lack of contamination in that area.

Sincerely,

David C. Simmons,
Environmental Resources
Specialist II

cc: H. Michael Dorsey, CAER Asst. Chief
Michael I. Stratton, Enf. Unit Leader
Tom Fisher, Field Operations Program Mgr.
Chris Gatens, Inspector
Penny Harris, Inspector
✓ EPA Region III



Office of Waste Management
1356 Hansford Street
Charleston, West Virginia 25301-1401
Telephone Number: (304) 558-2505
Fax Number: (304) 558-0256



West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael C. Castle
Director

May 12, 2000

Mr. Robert B. Schaffer, *Coyne Textile Ser.*
Director of Environmental Affairs
P.O. Box 4854
140 Cortland Avenue
Syracuse, NY 13221

Dear Mr. Schaffer:

Thank you for the submittal of the request to close Order HW-395-94. I agree that the recent groundwater sampling showed no indication of products that could be related to the kerosene spill of 1994. All requirements of this Order have been successfully completed and a closure letter is attached.

Sincerely,

David C. Simmons,
Environmental Resources
Specialist II

cc: H. Michael Dorsey, CAER Asst. Chief
Michael I. Stratton, Enf. Unit Leader
Tom Fisher, Field Operations Program Mgr.
Chris Gatens, Inspector
Penny Harris, Inspector
✓EPA Region III



Office of Waste Management
1356 Hansford Street
Charleston, West Virginia 25301-1401
Telephone Number: (304) 558-2505
Fax Number: (304) 558-0256



West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael C. Castle
Director

May 12, 2000

Mr. Robert B. Schaffer,
Director of Environmental Affairs
P.O. Box 4854
140 Cortland Avenue
Syracuse, NY 13221

SUBJECT: Consent Order HW-395-94

Dear Mr. Schaffer:

The above referenced Consent Order was a binding agreement entered into voluntarily with the West Virginia Division of Environmental Protection's Office of Waste Management to resolve outstanding issues enumerated in the Order. The terms and conditions listed in the Order have been satisfactorily completed and the Office of Waste Management has closed the file on this Order.

The fulfillment of the Order does not represent a release, warrant or guarantee that the site is in full compliance with environmental statutes or rules. Nor does this termination relieve the legal obligation and responsibility for compliance with all applicable federal and state statutes and rules as they may relate to continued operations.

Thank you for your cooperation in this matter.

Sincerely,

David C. Simmons,
Environmental Resources
Specialist II

cc: H. Michael Dorsey, CAER Asst. Chief
Michael I. Stratton, Enf. Unit Leader
Tom Fisher, Field Operations Program Mgr.
Chris Gatens, Inspector Supervisor
Penny Harris, Inspector
EPA Region III



Office of Waste Management
1356 Hansford Street
Charleston, WV 25301-1401
(304) 558-2505
(304) 558-0256

West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael P. Miano
Director

ORDER

ISSUED UNDER THE

HAZARDOUS WASTE MANAGEMENT ACT

CHAPTER 22, ARTICLE 18

OF THE WEST VIRGINIA CODE, AS AMENDED

Order Number HW-011-99

To: Mr. Ed Armon
Coyne Textile Services
1111 Vernon Street
Huntington, West Virginia 25704

ATTENTION: MR. ED ARMON

This Order is issued by the Director of the West Virginia Division of Environmental Protection, through his authorized representative, the Chief of the Office of Waste Management, under the authority of the West Virginia Code, as amended, Chapter 22, Article 18, Sections 14 and 15 to Coyne Textile Services, Inc. (hereinafter, "CTS"). The Director has adopted and incorporated by reference the applicable sections of 40 CFR parts 260 through 279 into the Hazardous Waste Management Rule (formerly, "47 CSR 35" and hereinafter, "33 CSR 20").

BASIS FOR ORDER

As the result of a Compliance Evaluation Inspection (hereinafter, "CEI") and Compliance Schedule Evaluation Reports, and in support of this Order, the Chief hereby finds the following:

- A) CTS owns and operates a facility for the cleaning of industrial laundry at a site located at 1111 Vernon Street in Huntington, West Virginia, (hereinafter, the "site").
- B) As a result of the construction and operation of a wastewater treatment sludge tank, CTS generates hazardous waste in amounts sufficient to classify it as a Large Quantity Generator.
- C) On September 16, 1994, CTS entered into Consent Order HW-395-94 which provided an agreed schedule and framework for site assessment and remedial activities.
- D) On August 23, 1996, authorized representatives of the Chief conducted a CEI and a Compliance Schedule Evaluation inspection at CTS to assess current compliance with 33 CSR 20 and to assess the status of the site clean-up and monitoring plan ordered by Order HW-395-94.
- E) During the referenced inspection reports, authorized representatives of the Chief cited ten violations of 33 CSR 20 and one violation of Order HW-395-94. Nine of the eleven cited violations were addressed by the Notice of Violation (hereinafter, "NOV") attached to the referenced inspection reports. The two unaddressed violations on the NOV were referred for enforcement.
- F) On October 29, 1997, authorized representatives of the Chief conducted a Compliance Schedule Evaluation at CTS, and noted additional and repeat violations of 33 CSR 20. The violations addressed by this Order are the following:
 - 1) The facility has failed to notify for hazardous waste activity. The violation derives from CTS's discovery, waste sampling and closure of a concrete pit (sump) containing hazardous waste tetrachloroethylene, also known as perchloroethylene. This sump contained a RCRA hazardous waste and was in violation of 40 CFR Section 262.12 as referenced by 33 CSR 20. The Chief believes that visual inspection of the sump is insufficient to ascertain if perchlorethylene has migrated through the concrete sump and into the underlying oil and/or groundwater.
 - 2) CTS failed to notify the Chief or his authorized representatives at least 48 hours in advance of the site work conducted in December, 1995 regarding the hazardous waste removed from the sump. Although this failure was not a technical violation of requirement 3D of Order HW-395-94, failure to notify the Chief of the discovery, waste sampling and closure of the sump violated the spirit of Order HW-395-94 and the above cited regulation, and was in violation of Chapter 22, Article 18, Section 14 of the Code which requires the submittal of a plan in the event that hazardous waste may have been released to the environment.

CTS did, however, send the contents of the sump to a permitted hazardous waste treatment, storage and disposal facility and visually examined the sump prior to filling it with concrete. The Chief contends, however, that a visual examination alone cannot ensure that a release of hazardous waste has not occurred through the sump walls or floor because concrete is not impermeable.

CTS has provided the Chief with a copy of a plan to ascertain the extent of any and all hazardous waste contamination from the tetrachloroethylene pit at the site, in compliance with Chapter 22, Article 18, Section 14 of the Code. The Chief will approve the plan as of the effective date of this Order.

REQUIREMENTS OF ORDER

Now, therefore, in accordance with Chapter 22, Article 18, Sections 14 and 15 of the Code, it is hereby agreed between the parties and **ORDERED** by the Chief as follows:

- 1) Upon the effective date of this Order, and for the violations cited in this Order, CTS agrees to an administrative settlement of \$5,000.00 (five thousand dollars). CTS shall pay the administrative settlement of \$5,000 (five thousand dollars) to the West Virginia Hazardous Waste Management Fund within fifteen days of the effective date of this Order.
- 2) CTS shall enact the approved plan for the sampling of the pit area within forty-five days of the effective date of this Order and shall provide the environmental inspector with at least 48 hours advance notification prior to sampling and/or remedial activities pursuant to the plan. Future remedial actions to address contamination from the pit, if any, shall be dependent on the results of this sampling.

GENERAL PROVISIONS

- 1) The Chief reserves all rights and defenses which he may have pursuant to any legal authority as well as a right to raise, as a basis for supporting such legal authority or defenses, facts other than those enumerated in the Basis for Order.
- 2) CTS hereby waives its rights to appeal this Order under the provisions of Chapter 22, Article 18, Section 20 of the Code. Under this Order, CTS agrees to undertake all actions required by the terms and conditions of this Order and consents to and will not contest the Chief's jurisdiction regarding this Order. However, CTS does not admit to any factual and legal determination made by the Chief in this Order and reserves all rights and defenses available regarding liability and responsibility in any proceedings regarding the facility other than proceedings, either administrative or civil, to enforce this Order.
- 3) This Order becomes effective on the date indicated and shall terminate upon notification from the Chief that CTS has fulfilled the requirements as set forth in the Requirements of Order.

July 14, 1999
Effective Date


Authorized Representative
Coyne Textile Services, Inc.


B. F. Smith, P.E.
Chief
Office of Waste Management

THIS CHECK HAS AN ARTIFICIAL WATERMARK ON THE BACK. HOLD TO THE LIGHT TO VIEW.



COYNE TEXTILE SERVICES

MAILING ADDRESS: P.O. BOX 4854, SYRACUSE, N.Y. 13221
140 CORTLAND AVENUE • SYRACUSE, N.Y. • 13202

239216

64-1278/611

PAY TO THE ORDER OF

WV Hazardous Waste Management Fund

*Hw-011-99/Full Pmt.
Receipt # 37696, 490
Rec'd 7/26/99*

MONTH	DAY	YEAR
07	13	99

DOLLARS	CENTS
5,000	00

COYNE INTERNATIONAL ENTERPRISES, CORP
THANK YOU

Robert L. Coyne
AUTHORIZED SIGNATURE

NationsBank

NationsBank Customer Connection
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⑈ 239216 ⑈ ⑆ 061112788 ⑆ 010 119 6062 ⑈